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Via ECF

July 31, 2020

Hon. Jesse M. Furman
United States District Court Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v Arguendas (Jacobb Padin)*
20 Cr. 135 (JMF)

Dear Judge Furman:

Your Honor ordered the temporary release of Jacobb Padin on April 8, 2020, because of the threat that COVID-19 posed to his health at the jail. According to his Pretrial Service Officer, Bernisa Mejia, Mr. Padin has been fully compliant with the terms of his temporary release. Mr. Padin has sought and obtained two extensions of his temporary release and currently seeks an extension until August 31, 2020, because of the ongoing pandemic in our country.

Our country continues to face unprecedented challenges from the coronavirus pandemic, with the number of cases across the country continuing to rise. There was an increase in over 65,000 new cases in the United States in a single day, just two days ago, on July 29, 2020, as well as 1417 deaths attributable to the virus on that same day.¹ As of July 21, at least 100,000 people in prison contracted the coronavirus², and there have been 713 prisoner deaths attributable to COVID-19. And in the last few weeks in federal prisons there have been major outbreaks of

¹ <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

² <https://www.msnbc.com/rachel-maddow-show/texas-now-home-three-worst-federal-prison-coronavirus-outbreaks-n1234652> (citing a New York Times web article: <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html> (updated July 30, 2020))

COVID-19 in three federal prisons in Texas (Seagoville with 1,132 confirmed cases of COVID-19; FMC Carswell with 509 inmates; and FCI Beaumont with 468 infected inmates).³ Moreover, a federal prison in New Jersey, Fairton FCI, recently had 103 new cases.⁴ The BOP is currently still in Phase 7 of its COVID-19 Action Plan, which extends Phase 6, to curtail the spread of COVID-19,⁵ yet, the number of new COVID-19 cases around the country breaks records daily, and we have seen major outbreaks in federal jails as well.

Because of this, and in light of his severe asthma, Mr. Padin respectfully requests that Your Honor extend his temporary release until August 31, 2020. Mr. Padin's Pretrial Service Officer Bernisa Mejia takes no position on his request and Andrew Chan, AUSA, responded "[f]or the reasons stated in its prior oppositions (Docket Nos. 54, 71, 139, 159), the Government respectfully opposes the defendant's request for an extension of his temporary release."

Your Honor's time and consideration of this request is greatly appreciated.

Respectfully submitted,

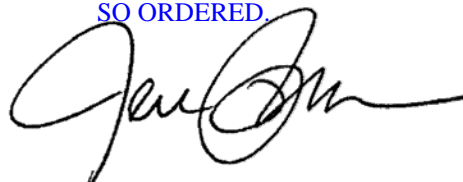
s/

Lorraine Gauli-Rufo
Attorney for *Jacobb Padin*

cc: Andrew Chan, AUSA
Jaclyn Wood, AUSA
Bernisa Mejia, PTSO (*via email*)

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 186.

SO ORDERED.



August 7, 2020

³ <https://www.newsweek.com/americas-3-largest-coronavirus-prison-outbreaks-located-texas-have-infected-over-2100-inmates-1519440> (July 21, 2020)

⁴ <https://www.bop.gov/coronavirus/> (Accessed July 30, 2020)

⁵ *Covid-19 Action Plan: Phase 7*, Federal Bureau of Prisons (updated May 20, 2020), https://www.bop.gov/resources/news/20200520_covid-19_phase_seven.jsp/.